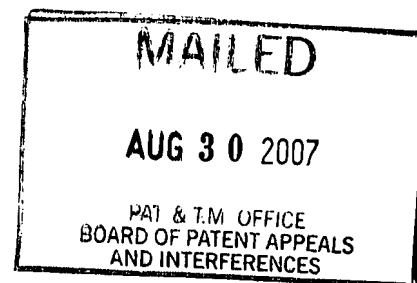


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte VERONIQUE DOUIN,
BENEDICTE CAZIN
AND SANDRINE DECOSTER



Application No. 09/765,675

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on August 23, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On August 17, 2006, appellants filed an Appeal Brief. On page 10, under the heading "Grounds of Rejection section B" the Appellants stated:

"Claims 24-27 stand rejected under § 103(a) over Restle, in view of Ziegler, Margosiak, and Knowlton as applied to claims 1-19, 21-23, 28-62, and 68-83 above, and further in view of European Patent 0780114 to Simonnet ("Somonnet").

In response, an Examiner's Answer was mailed on January 16, 2007. While the Answer notes that "The appellant's statement of the grounds of rejection to be reviewed on appeal is correct" [page 2], the Examiner's Answer and the Final Rejection mailed July 13, 2006, the following § 103 rejections were made:

Claims 24-27 are rejected under U.S.C. 103(a) as being unpatentable over Restle et al., Ziegler et al., Kowlton, and Margosiak et al. as applied to claims 1-19, 21-23, 30-62 and 68-83 above, and further in view of Simonnet (EP078114 A1).

A clarification of the claims to be applied and which reference is the prior art relied upon in the rejection is required.

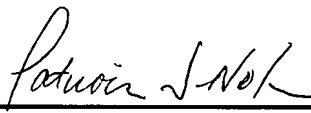
Application No. 09/765,675

Accordingly, it is

ORDERED that the application is returned to the Examiner;

- 1) to give a proper explanation of the ground of rejection;
- 2) to clarify which references are to be considered as the prior art; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 NEW YORK AVE., N.W.
WASHINGTON, DC 20001-4413